

C. H. COSTER GERARD

IBLA 78-562

Decided May 31, 1979

Appeal from a decision of the Eastern States Office, Bureau of Land Management, rejecting simultaneous oil and gas lease offer ES 18387.

Affirmed.

1. Oil and Gas Leases: Applications: Generally -- Oil and Gas Leases:
Applications: Drawings

Strict compliance with 43 CFR 3112.2-1 which provides that simultaneous oil and gas drawing entry cards be signed and fully executed by an applicant or his agent is required.

2. Oil and Gas Leases: Applications: Generally -- Oil and Gas Leases:
Applications: Drawings

A simultaneous oil and gas lease offer is properly rejected where the State prefix to the parcel number on an oil and gas drawing entry card is omitted.

3. Oil and Gas Leases: Applications: Generally -- Oil and Gas Leases:
Applications: Drawings

A simultaneous oil and gas lease offer is properly rejected where the drawing entry card is not dated.

APPEARANCES: J. A. Wojtkiewicz, for appellant.

OPINION BY ADMINISTRATIVE JUDGE BURSKI

C. H. Coster Gerard appeals from the June 22, 1978, decision of the Eastern States Office, Bureau of Land Management (BLM), rejecting

his simultaneous oil and gas lease offer ES 18387. Appellant's drawing entry card was drawn first for parcel No. ES-209 during the January 1978 simultaneous drawing held on February 8, 1978. BLM rejected appellant's offer because he had omitted the "ES" prefix from the parcel number on the card and because he had not dated the card.

In response, appellant states that the "bid cards do not provide enough blanks for the letters ES to precede the parcel numbers" and that "[t]he State was spelled out on the card, which represents that the bid was in the Eastern States."

[1] The pertinent regulation on simultaneous offers, 43 CFR 3112.2-1(a), requires that a drawing entry card be "signed and fully executed" by the applicant. The Board has held that strict compliance with the regulation is necessary. Thomas V. Gullo, 29 IBLA 126 (1977); John Willard Dixon, 28 IBLA 275 (1976); and Robert J. Burkhill, 28 IBLA 76 (1976). Even minor deviations and omissions in the information required on drawing entry cards are sufficient to warrant the rejection of the offer. Thomas C. Moran, 32 IBLA 168, 169 (1977) and Raymond F. Kaiser, 27 IBLA 373 (1976).

[2] On numerous occasions, the Board has held that a drawing entry card is not fully executed where the State prefix which is part of the parcel number is omitted and, therefore, is properly rejected. Richard Wheeler, Jr., 34 IBLA 359 (1978); Gerald L. Christensen, 30 IBLA 303 (1977); Ernest T. Squires, 30 IBLA 288 (1977); John P. Levycky, 30 IBLA 127 (1977); and Etta D. Harris, 29 IBLA 259 (1977).

In February, 1976, BLM adopted a new method of numbering parcels of land subject to simultaneous oil and gas leasing. Each parcel is designated by a State Office prefix and a number. This method was designed to avoid confusion with the former system of using only numbers followed by a space for insertion of the name of the State in which the land was located. In submitting his offer, appellant used a drawing entry card designed for the former system. The fact that he used an old card does not relieve him of the responsibility of inserting the complete parcel number as listed in the notice announcing the lands available for leasing. The Notice of Lands Available clearly indicated that ES-209 was the parcel number.

[3] In any event, appellant's offer was also properly rejected because he failed to date the drawing entry card. The Board has previously held that the date must be entered on the card in order for the card to be fully executed as required by the regulation. Jack L. Macdowell, 34 IBLA 202 (1978), Thomas C. Moran, *supra*; John R. Mimick, 25 IBLA 107 (1976), and Ray Flamm, 24 IBLA 10 (1976). The date is important because it shows that the offeror, by his signature, certifies all statements made in the card as of a particular date. John R. Mimick, *supra*. See Ray Flamm, *supra*.

Therefore, pursuant to authority delegated to the Board of Land Appeals by the Secretary of the Interior, 43 CFR 4.1, the decision appealed from is affirmed.

James L. Burski
Administrative Judge

We concur:

Douglas E. Henriques
Administrative Judge

Edward W. Steubing
Administrative Judge

